

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT TRANSMITTAL FORM



Chang, et al.

Serial No.:

10/766,294

For:

SYSTEMS AND METHODS FOR SORTING AEROSOLS

Filed:

January 28, 2004

Art Unit:

Not yet assigned

Examiner:

Not yet assigned

Confirmation No.:

Not yet assigned

Customer No.:

27,623

Attorney Docket No.:

807.7965USU

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

We are enclosing:

- 1. Information Disclosure Statement with copies of references;
- PTO Form 1449;
- Transmittal letter in duplicate; and
- 4. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 01-0467 in the name of Ohlandt, Greeley, Ruggiero & Perle. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: <u>May 20, 2004</u>

Paul D. Greeley Reg. No. 31,019

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10<sup>th</sup> Floor Stamford, Connecticut 06901-2682

(203) 327-4500

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON May 20, 2004

Jeffrey J. Scepanski

M/SIGNATURE

05/20/04

DATE



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#### **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with applicant's duty of disclosure under 37 C.F.R. §1.56, please find attached hereto form PTO-1449 listing information which may be material to the patentability of this application. This Information Disclosure Statement is being filed:

	Within three (3) months of the filing date of the national application;
—	Within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
<u>XXX</u>	Before the mailing date of a first Office Action on the merits;
	After the filing date or date of first Office Action, but before the mailing date of a final action under 37 C.F.R §1.113, provided that this occurs prior to the issuance of a Notice of Allowance and provided that this I.D.S is accompanied by either a certification as specified in 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p):

After the filing date or date of first Office Action, but before the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, provided that this occurs prior to the final action and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p);

After the mailing date of a final action under 37 C.F.R. §1.113, provided that this occurs prior to the issuance of a Notice of Allowance and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e), a petition requesting consideration of the I.D.S., and the petition fee set forth in 37 C.F.R. §1.17(i)(1); and

After the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, provided that this occurs prior to the issuance of a final action and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e), a petition requesting consideration of the I.D.S., and the petition fee set forth in 37 C.F.R. §1.17(I)(1).

Cited in the attached PTO-1449 are U.S. Patent Nos. 4,756,427; 5,561,515; 5,730,417; and 6,432,630. Pursuant to the waiving of the requirement of 37 CFR 1.98 (a)(2)(i), copies of these U.S. references are not enclosed.

It should be understood that attention has been called to the references that have been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed references and to make the usual careful independent search for other prior art that may be pertinent.

Respectfully submitted,

Date: <u>May 20, 2004</u>

Paul D. Greeley Reg. No. 31,019

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, CT 06901-2682

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- F. C. Tenover, et al., in Manual of Clinical Microbiology. American Society for Microbiology, 1999, pp. 215-235.

**EXAMINER** 

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Sheet 4\_ of 8\_. **CUSTOMER NO.: 27623** Application Number Docket Number (Optional) FORM PTO-1449 10/766,294 807.7965USU INFORMATION DISCLOSURE CITATION Applicant Chang, et al. IN AN APPLICATION Group Art Unit Filing Date Not yet assigned January 28, 2004 (Use several sheets if necessary) U. S. PATENT DOCUMENTS FILING DATE IF APPROPRIATE **EXAMINER** CLASS SUBCLASS NAME DATE **DOCUMENT** INITIAL NUMBER FOREIGN PATENT DOCUMENTS Translation NO SUBCLASS YES CLASS COUNTRY DATE DOCUMENT NUMBER OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.) J. Ho., Future of Biological Aerosol Detection. Analytica Chimica Acta, Vol. 457, 2002, pp. 125-

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Sheet <u>5</u> of <u>8</u>. **CUSTOMER NO.: 27623** Application Number Docket Number (Optional) FORM PTO-1449 10/766,294 807.7965USU Applicant INFORMATION DISCLOSURE CITATION Chang, et al. IN AN APPLICATION Group Art Unit Filing Date Not yet assigned (Use several sheets if necessary) January 28, 2004 U. S. PATENT DOCUMENTS FILING DATE IF APPROPRIATE **EXAMINER SUBCLASS** CLASS NAME DATE **DOCUMENT** INITIAL NUMBER FOREIGN PATENT DOCUMENTS Translation YES NO CLASS SUBCLASS COUNTRY DATE **DOCUMENT** NUMBER OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.) B. Beatty, et al., FISH: A Practical Approach. Oxford University Press, No. 260, 2002, pp. 5-10.

- F. Pourahmadi, et al., Toward a Rapid, Integrated, and Fully Automated DNA Diagnostic Assay for Chlamydia trachomatis and Neisseria gonorrhoeae. Clinical Chemistry, Vol. 46, No. 9, 2000, pp. 1511-1513.
- B. K. De, et al., Two-Component Direct Fluorescent-Antibody Assay for Rapid Identification of Bacillus anthracis. Emerging Infectious Diseases, Vol. 8, No. 10, October, 2002, pp. 1060-1065. DATE CONSIDERED

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Sheet 7 of 8. CUSTOMER NO.: 27623 Application Number Docket Number (Optional) FORM PTO-1449 10/766,294 807.7965USU Applicant INFORMATION DISCLOSURE CITATION Chang, et al. IN AN APPLICATION Group Art Unit Filing Date Not yet assigned January 28, 2004 (Use several sheets if necessary) U. S. PATENT DOCUMENTS FILING DATE IF **EXAMINER APPROPRIATE SUBCLASS** CLASS NAME DATE **DOCUMENT** INITIAL NUMBER FOREIGN PATENT DOCUMENTS Translation YES NO CLASS SUBCLASS COUNTRY DATE DOCUMENT NUMBER

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